

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

MICHAEL A. LEWIS

Petitioner,

v.

RICKY BELL, WARDEN

Respondent.

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No. 3:10-0651  
Judge Sharp

**ORDER**

On August 11, 2011, an order (Docket Entry No. 49) was entered dismissing the instant *pro se* § 2254 habeas corpus action. Since the entry of this order, the petitioner has filed a Notice of Appeal (Docket Entry No. 53).

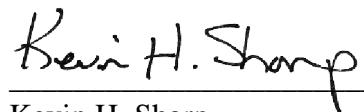
When a Notice of Appeal is filed in a § 2254 habeas corpus action, the district court is obliged to determine the petitioner's liability for the appellate filing fee and to ascertain whether it would be appropriate to grant the petitioner a certificate of appealability.

In the order of dismissal, the Court has already determined that a certificate of appealability should not issue in this instance. However, the petitioner has yet to either pay the fee required for the filing of his appeal or submit an application to proceed on appeal in forma pauperis.

Accordingly, the petitioner is hereby GRANTED thirty (30) days from the date of entry of this order on the docket in which to submit to the Clerk of this Court either the full appellate filing fee of four hundred fifty five dollars (\$455) or an application to proceed on appeal in forma pauperis. The petitioner is forewarned that, should he fail to comply with these instructions in a timely manner, his appeal may be dismissed for want of prosecution.

The Clerk is directed to forward a copy of this order to the Clerk of the Court of Appeals.

It is so ORDERED.

A handwritten signature in black ink that reads "Kevin H. Sharp". The signature is fluid and cursive, with "Kevin" and "H." on the first line and "Sharp" on the second line.

Kevin H. Sharp  
Kevin H. Sharp  
United States District Judge